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SENSITIVE
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STATE FOR OES/OA PHELPS, COMMERCE PLEASE PASS NOAA

E.O. 12958: N/A
TAGS: [KSCA](#) [EFIS](#) [PREL](#) [SENV](#) [AS](#)
SUBJECT: AUSTRALIA WHALING PREP FOR IWC61

REF: A. SECSTATE 57020
[1](#)B. PHELPS-ATKINSON EMAIL 6//3/2009.

[1](#)1. (SBU) Summary: Australia does not plan to seek a resolution at the International Whaling Commission meetings in Madeira June 22-26 outside of consensus. While generally concerned about the format and leadership of a future Small Working Group arrangement, the GOA has not yet reached an internal position on many details of the upcoming IWC discussions. Environment Minister Garrett will attend the IWC meetings. Australia continues to support the extended year of discussions on the future of the IWC. The GOA hopes to provide detailed feedback to the questions in reftel by June 10. End Summary.

[1](#)2. (SBU) Per instructions in refs, Econoff provided information and questions in ref A and B to Ruth Adler, recently appointed as Assistant Secretary in the Environment Branch of the Department of Foreign Affairs and Trade, on June 5. Adler, who has no background on whaling issues, has replaced Greg French in that position. Adler told econoff that Australia greatly appreciated the strong May 20 statement by CEQ Chair Sutley and NOAA Administrator Lubchenko. Adler said that Australia's negotiating position was currently before Ministers for final decisions, but promised to study the information provided and get formal answers back to us on or about June 10. Australian IWC Commissioner Petrochenko is currently on leave.

[1](#)3. (SBU) Separately, Econoff spoke with David Dutton, who has the day-to-day lead on whaling and the IWC for DFAT on June 4 and 5. Dutton, who is on leave, said he believed that U.S. concerns (ref B) about a possible Australian draft resolution at the IWC were a misunderstanding. Dutton said that although internal deliberations have not yet fixed many policy details, Australia has no draft text and there is no plan to lead a push for a resolution outside of a consensus document, which Dutton noted had been proposed by Japanese Fisheries Agency representative Nakamae. Dutton said that, while Australia agreed that a resolution along the lines passed to USG officials in Washington would be helpful, there was no decision in Canberra to push unilaterally, and certainly not outside consensus, for such a result. Dutton said that Australia's concerns about the Small Working Group were that it was too large and that the current chair had not been active enough in seeking outcomes. He said the GOA would provide more detailed and formal thoughts on the SWG format and mandate following the Queen's Birthday (June 8) holiday.

[1](#)4. (SBU) The IWC was also raised with the Charge by Department of Environment, Water, Heritage and the Arts Secretary Robyn Kruk during a courtesy call on June 4. Kruk stressed the importance Environment Minister Garrett puts on

the whaling issue, and confirmed that Garrett would attend the Commission meetings as head of delegation for Australia and Australia's alternative commissioner. Charge reviewed U.S. commitment to a working IWC process that avoids the divisive rhetoric of the past. Kruk, who acknowledged that she had a limited working knowledge of the ongoing discussions, said that the government would be under significant domestic pressure on the whaling issue, but that differences between the U.S. and Australia were largely tactical, not substantive.

14. (SBU) Comment: Australia appears committed to working Q4. (SBU) Comment: Australia appears committed to working within the IWC process on the future of the Commission. While the lack of a breakthrough in the Small Working Group has left the GOA with fewer options, there does not appear to be a movement within government to accelerate legal action or disrupt forward progress in the IWC format. The issue has been kept off the front page by the financial crisis, swine flu, and government scandal, but if public opinion rallies against a collaborative approach, PM Rudd, Garrett and Foreign Minister Smith will have very little room to do contemplate measures short of more confrontation during next year's whaling season and possible legal action against Japan. End Comment.

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